

NON-
BIDDING

PROPOSAL

TRANSPORTATION CABINET
Department of Highways
Frankfort, Kentucky 40622

PROPOSAL NO. _____
PROJECT CODE NO. 02-0735

LETTING OF DECEMBER 13, 2002
Sealed Bids will be received in the
Division of Contract Procurement and/or
the Auditorium located on the 1st Floor
of the State Office Building until
10:00 A.M., EST, on DECEMBER 13, 2002.
Bids will be publicly opened and read
at 10:00 A.M., EASTERN STANDARD TIME.

PROJECT IDENTIFICATION AND DESCRIPTION:

HOPKINS COUNTY, FD04 054 9004 032-033
The E.T. Breathitt Parkway (EB 9004) Interchange Lighting at US 62 at Nortonville.

Status Report Item No. 2-8100.00.

(2)

GRAPHIC COORDINATES:

LATITUDE - 37° 18' NORTH
LONGITUDE - 87° 30' WEST

COMPLETION DATE ESTABLISHED FOR PROJECT: JULY 15, 2003

LIQUIDATED DAMAGES: SEE STANDARD SPECIFICATIONS

REQUIRED BID PROPOSAL GUARANTY: Not less than 5% of the total bid.

(Check guaranty submitted: Cashier's Check ☐ Certified Check ☐ Bid Bond ☐)

BID BONDS WHEN SUBMITTED WILL BE RETAINED WITH THE PROPOSAL.
INDEX OF CONTENTS

PART

- I SCOPE OF WORK
- II SPECIAL PROVISIONS APPLICABLE TO PROJECT
- III EMPLOYMENT, WAGE AND RECORD REQUIREMENTS
- IV INSURANCE
- V STATEMENT OF INCOMPLETED WORK AND SUBCONTRACTED WORK
- VI BID ITEMS
- VII CERTIFICATION

BID..... ☐ PROPOSAL ISSUED TO: _____

SPECIMEN..... ☐ _____
Address City State Zip

PART I

SCOPE OF WORK

1. Project Detail

a. See Lighting Plans

b. Special Notes Applicable to Project

Attached

c. Supplemental Specifications

Attached

d. Special Note for Utility Clearance

Attached

SPECIAL NOTES APPLICABLE TO PROJECT

2000 SPECIFICATIONS

Any reference in the plans or in the proposal to the *Standard Specifications for Road and Bridge Construction, Edition of 1998*, and Standard Drawings, Edition of 1998 are superseded by *Standard Specifications for Road and Bridge Construction, Edition of 2000*, and Standard Drawings, Edition of 2000.

2001 SUPPLEMENTAL SPECIFICATIONS

The *2001 Supplemental Specifications* to the 2000 Standard Specifications for Road and Bridge Construction shall apply to this project.

PROPOSAL ADDENDA

All Addenda to this proposal must be incorporated into the proposal when the bid is submitted to the Kentucky Department of Highways. Failure to use the correct and most recent bid sheet(s) may result in the bid being rejected.

BID SUBMITTAL

Bidder must use the Department's Highway Bid Program available on the internet web site of Department of Highways, Division of Contract Procurement. (www.kytc.state.ky.us/contract)

The Bidder must download the bid items created from the web site to prepare a bid proposal for submission to the Department. The Bidder must insert the completed bid item sheets printed from the Program into the bidder's proposal and submit with the disk created by said program.

JOINT VENTURE BIDDING

Joint Venture bidding is permissible. However, both companies **MUST** purchase a bidding proposal. Either proposal may be submitted but must contain the company names and signatures of both parties where required. A joint bid bond of 5% may be submitted for both companies or each company may submit a separate bond of 5%.

UNDERGROUND FACILITY DAMAGE PROTECTION

The contractor is advised that the Underground Facility Damage Protection Act of 1994, became law January 1, 1995. It is the contractor's responsibility to determine the impact of the act regarding this project, and take all steps necessary to be in compliance with the provisions of the act.

ASPHALT BASE PRICE

The Asphalt Base Price shall be \$165.00 (English) as applicable in Section 109.07 of the *2000 Standard Specifications*.

NHS PROJECTS

This project is on the **NATIONAL HIGHWAY SYSTEM**.

WORK ZONE CATEGORY I AND II DEVICES

The Contractor is required to provide certification that all *Work Zone Category I and II Devices* are compliant with NCHRP 350 before these devices are used on the project. *Category II Devices* include, but are not limited to: portable sign stands (with signs), type I, II & III barricades, vertical panels, intrusion alarms, cones with lights, and other work zone devices under 45kg (100 lb).

**Supplemental Specifications to The Standard Specifications
for Road and Bridge Construction, 2000 Edition
(Effective with the October 25, 2002 Letting)**

Unless stated otherwise, all revisions are to the Standard Specifications for Road and Bridge Construction.

| | |
|---------------------|--|
| PUBLICATION: | 2001 Supplemental Specifications to The Standard Specifications for Road and Bridge Construction. |
| SUBSECTION: | 104.02.02 Overrun and Underrun Formulas. |
| REVISION: | Void the revision. |
| SUBSECTION: | 104.02.02 Overrun and Underrun Formulas. |
| REVISION: | Replace the fifth paragraph with the following: For the excessive underrun and overrun quantities, the Department will adjust the payment according to the appropriate following formula: |
| SUBSECTION: | 104.02.02 Overrun and Underrun Formulas. |
| NUMBER: | 3) |
| REVISION: | Replace the threshold value of 20 percent with 30 percent. |
| SUBSECTION: | 102.07.01 General. |
| REVISION: | Replace the first sentence with the following: Submit the Bid Proposal on the forms furnished by the Department including the Highway Bid Program bid item sheets and disk created from the Department's internet web site. |
| SUBSECTION: | 102.07.02 Computer Bidding. |
| REVISION: | Replace the subsection with the following: Subsequent to ordering a Bid Proposal for a specific project, use the Department's Highway Bid Program on the internet web site of the Department of Highways, Division of Contract Procurement. Download the bid item quantities from the Department's web site to prepare a Bid Proposal for submission to the Department. Insert the completed bid item sheets printed from the Highway Bid Program into the Proposal and submit along with the disk created by said program. In case of a dispute, the Bid Proposal and bid item sheets created by the Highway Bid Program take precedence over any bid submittal. Furthermore the Department takes no responsibility for loss, damage of disks or the compatibility with the bidder's computer equipment or software. |
| SUBSECTION: | 102.08 IRREGULAR BID PROPOSALS. |
| REVISION: | Add the following to the first set of items: 4) Fails to submit a disk created from the Highway Bid Program |
| SUBSECTION: | 102.08 IRREGULAR BID PROPOSALS. |
| REVISION: | Replace 1) of the second set of items with the following: 1) when the Bid Proposal is on a form other than that furnished by the Department or printed from other than the Highway Bid Program, or when the form is altered or any part is detached. |
| SUBSECTION: | 112.03.01 General Traffic Control. |
| PART: | I) Temporary Traffic Signals. |
| REVISION: | Replace the MUTCD reference "Section 4B" with "Chapter 4D" |
| SUBSECTION: | 212.03.03 Permanent Seeding and Protection. |
| PART: | A) Seed Mixtures for Permanent Seeding. |
| REVISION: | Replace with the following: A) Seed Mixture for Permanent Seeding. Use seed Mixture No. I or as the Contract specifies. Mixture No. I: 75% Kentucky 31 Fescue (<i>Festuca arundinacea</i>) 10% Red Top (<i>Agrostis alba</i>) 5% White Dutch Clover (<i>Trifolium repens</i>) 10% Ryegrass, perennial (<i>Lolium perenne</i>) |

**Supplemental Specifications to The Standard Specifications
for Road and Bridge Construction, 2000 Edition
(Effective with the October 25, 2002 Letting)**

| | |
|--------------------|---|
| SUBSECTION: | 212.03.03 Permanent Seeding and Protection. |
| PART: | C) Crown Vetch. |
| REVISION: | Replace the first sentence with the following: Sow crown vetch seed on all areas having a slope 3:1 or steeper and consisting of soil or mixtures of broken rock and soil. |
| SUBSECTION: | 212.03.03 Permanent Seeding and Protection. |
| PART: | E) Erosion Control Blanket. |
| REVISION: | Replace the first sentence with the following: Install erosion control blankets in ditches, except those to be paved or rock lined, to a flow depth of 1.5 feet. |
| SUBSECTION: | 402.03.02 Acceptance. |
| PART: | C) Setup. |
| REVISION: | Add the following after the second sentence: For mixtures with a total-project quantity between 500 and 1,000 tons, perform a minimum of one process control test for AC, AV, and VMA, and report the results to the Engineer. |
| SUBSECTION: | 402.03.03 Verification. |
| REVISION: | Replace the first two sentences with the following: For volumetric properties, the Department will perform a minimum of one verification test for AC, AV, and VMA for each lot according to the corresponding procedures as given in Subsection 402.03.02. For specialty mixtures, the Department will perform one AC and one gradation determination per lot according to the corresponding procedures as given in Subsection 402.03.02. However, Department personnel will not perform AC determinations according to KM 64-405. |
| SUBSECTION: | 403.02.06 Transport Equipment. |
| REVISION: | Add the following after the first sentence: Do not load trucks that are contaminated with an unapproved release agent. When such contamination is identified after loading, reject the load. In either case, remove the truck and respective driver from the project for the duration of the project. |
| SUBSECTION: | 403.03.03 Preparation of Mixture. |
| PART: | A) Mixture Composition. |
| REVISION: | Replace the second sentence with the following: Conform to the gradation requirements (control points) of AASHTO MP2 for the Superpave mixture type the Contract specifies. |
| SUBSECTION: | 403.03.03 Preparation of Mixture. |
| PART: | C) Mix Design Criteria. |
| REVISION: | Replace the first sentence with the following: Conform to the gradation requirements (control points) of AASHTO MP2 for the Superpave mixture. |
| SUBSECTION: | 403.03.03 Preparation of Mixture. |
| PART: | C) Mix Design Criteria. |
| NUMBER: | 2) Selection of Optimum AC. |
| REVISION: | Add the following: Ensure the optimum AC is a minimum of 5.0 percent by weight of the total mixture for all 0.5-inch nominal surface mixtures and 5.3 percent by weight of the total mixture for all 0.38-inch nominal surface mixtures. |
| SECTION: | 403.03.06 Thickness Tolerance. |
| TABLE: | Nominal Maximum Size of Mixture vs. Thickness Range |
| REVISION: | Delete |

**Supplemental Specifications to The Standard Specifications
for Road and Bridge Construction, 2000 Edition
(Effective with the October 25, 2002 Letting)**

| SUBSECTION: | 403.03.09 Leveling and Wedging, and Scratch Course. | | | | | | | | | | | | | | | | | | | |
|---|--|--------------------|-----------------------------------|--|--|-----------|------------|----------|----------|----------|---|---|----------|----------|----------|---|----------|----------|----------|---|
| PART: | A) Leveling and Wedging. | | | | | | | | | | | | | | | | | | | |
| REVISION: | Replace the first sentence with the following: Conform to the gradation requirements (control points) for base, binder, or surface as applicable. | | | | | | | | | | | | | | | | | | | |
| SUBSECTION: | 403.03.09 Leveling and Wedging, and Scratch Course. | | | | | | | | | | | | | | | | | | | |
| PART: | B) Scratch Course. | | | | | | | | | | | | | | | | | | | |
| REVISION: | Replace the second sentence with the following: Conform to the gradation requirements (control points) for base, binder, or surface as the Engineer directs. | | | | | | | | | | | | | | | | | | | |
| SECTION: | 404 OPEN-GRADED FRICTION COURSE | | | | | | | | | | | | | | | | | | | |
| TABLE: | LOT PAY ADJUSTMENT SCHEDULE FOR SPECIALTY MIXTURES | | | | | | | | | | | | | | | | | | | |
| REVISION: | Replace the table with the table on the last page of this supplement. | | | | | | | | | | | | | | | | | | | |
| SUBSECTION: | 409.02 MATERIALS AND EQUIPMENT. | | | | | | | | | | | | | | | | | | | |
| REVISION: | Replace "KM 64-427" with the following: the guidelines in Subsection 409.03.02 | | | | | | | | | | | | | | | | | | | |
| SUBSECTION: | 409.03.01 Restrictions. | | | | | | | | | | | | | | | | | | | |
| REVISION: | Add the following sentence: When the mixture's bid item specifies PG 76-22, limit RAP content to 20 percent or less. | | | | | | | | | | | | | | | | | | | |
| PUBLICATION: | 2001 Supplemental Specifications to The Standard Specifications for Road and Bridge Construction. | | | | | | | | | | | | | | | | | | | |
| SUBSECTION: | 409.03.02 Preparation of Mixture. | | | | | | | | | | | | | | | | | | | |
| PART: | A) Mix Requirements. | | | | | | | | | | | | | | | | | | | |
| REVISION: | Void the Revision and replace with the following: Conform to the Contract requirements for each mixture produced using RAP. If mixtures produced using RAP do not conform to the requirements for that mixture, complete the project using all virgin materials at no additional expense to the Department. Conform to the following table to select the appropriate grade of virgin asphalt binder to blend with the RAP: | | | | | | | | | | | | | | | | | | | |
| <table><tr><th rowspan="2">Mixture's Bid Item</th><th colspan="3">Appropriate Virgin Asphalt Binder</th></tr><tr><th>0-20% RAP</th><th>21-30% RAP</th><th>>30% RAP</th></tr><tr><td>PG 76-22</td><td>PG 76-22</td><td>-</td><td>-</td></tr><tr><td>PG 70-22</td><td>PG 70-22</td><td>PG 64-22</td><td>*</td></tr><tr><td>PG 64-22</td><td>PG 64-22</td><td>PG 64-22</td><td>*</td></tr></table> <p style="text-align: center;">* Select according to KM 64-427</p> | | Mixture's Bid Item | Appropriate Virgin Asphalt Binder | | | 0-20% RAP | 21-30% RAP | >30% RAP | PG 76-22 | PG 76-22 | - | - | PG 70-22 | PG 70-22 | PG 64-22 | * | PG 64-22 | PG 64-22 | PG 64-22 | * |
| Mixture's Bid Item | Appropriate Virgin Asphalt Binder | | | | | | | | | | | | | | | | | | | |
| | 0-20% RAP | 21-30% RAP | >30% RAP | | | | | | | | | | | | | | | | | |
| PG 76-22 | PG 76-22 | - | - | | | | | | | | | | | | | | | | | |
| PG 70-22 | PG 70-22 | PG 64-22 | * | | | | | | | | | | | | | | | | | |
| PG 64-22 | PG 64-22 | PG 64-22 | * | | | | | | | | | | | | | | | | | |
| SUBSECTION: | 611.03.02 Precast Unit Construction. | | | | | | | | | | | | | | | | | | | |
| REVISION: | Replace the first sentence with the following: Construct units according to ASTM C 1433 with the following exceptions and additions: | | | | | | | | | | | | | | | | | | | |
| PUBLICATION: | 2001 Supplemental Specifications to The Standard Specifications for Road and Bridge Construction. | | | | | | | | | | | | | | | | | | | |
| SUBSECTION: | 701.03.05 Joints. | | | | | | | | | | | | | | | | | | | |
| PART: | B) Corrugated Metal Pipe. | | | | | | | | | | | | | | | | | | | |
| REVISION: | Void the Revision and replace with the following: Construct joints using a band with annular corrugations and a bolt, bar and strap connection. Use a minimum nominal band width of 12 inches for all pipe diameters 54 inches and smaller. Use a two-piece band with a minimum nominal width of 20 inches for all pipe diameters greater than 54 inches. Manufacture the band from the same base materials as the pipe. The pipe bands may be up to two gauges lighter than the pipe it is joining, with a minimum gauge thickness of 16. The Department may allow dimple band connections for field cut pipe. Install the connecting bands according to the manufacturer's written recommendations. | | | | | | | | | | | | | | | | | | | |

**Supplemental Specifications to The Standard Specifications
for Road and Bridge Construction, 2000 Edition
(Effective with the October 25, 2002 Letting)**

| | |
|---------------------|---|
| SUBSECTION: | 710.02 MATERIALS. |
| REVISION: | Add the following Subsection: 710.02.15 High Density Polyethylene (HDPE) Adjusting Rings. Conform to Section 846. |
| SUBSECTION: | 710.03.01 Newly Constructed Small Drainage Structures. |
| PART: | A) General. |
| REVISION: | Replace the last sentence of the sixth paragraph with the following: Use precast concrete, precast concrete pipe sections, cast-in-place, brick, or HDPE adjusting rings for adjustment of existing manholes according to the Standard Specifications. |
| SUBSECTION: | 710.03.03 Adjusted Small Drainage Structures. |
| REVISION: | Add the following sentence to the end of the first paragraph: For HDPE adjusting rings, install and seal according to the manufacturer's recommendations. |
| SUBSECTION: | 713.03 CONSTRUCTION. |
| REVISION: | Replace the MUTCD references to "Part III" with "Part 3" |
| SUBSECTION: | 714.03 CONSTRUCTION. |
| REVISION: | Replace the MUTCD references to "Part III" with "Part 3" and figure references to "3-11 and 3-12" with "3B-8 and 3B-9" |
| SUBSECTION: | 714.03.01 Layout. |
| REVISION: | Replace the MUTCD reference to "Part III" with "Part 3" |
| PUBLICATION: | 2001 Supplemental Specifications to The Standard Specifications for Road and Bridge Construction. |
| SUBSECTION: | 714.05 PAYMENT. |
| REVISION: | Replace with the following: The Department will make payment upon completion of the work. If after the proving period the markings do not meet minimum retroreflectivity requirements, the Department will adjust the payment or require corrective work according to the following: |
| SUBSECTION: | 718.01 DESCRIPTION. |
| REVISION: | Replace the second sentence with the following: See Section 3C.01 of the MUTCD for a general description. |
| SUBSECTION: | 807.02.03 Joint Sealer for Ridged Pipe. |
| PART: | B) Rubber Gaskets. |
| REVISION: | Replace with the following: B) Butyl Rubber Sealants. Furnish butyl rubber sealants conforming to the materials, manufacture, and physical requirements for sealants in AASHTO M 198, Section 6.2. Use only products from the Department's List of Approved Materials. |
| SUBSECTION: | 807.02.03 Joint Sealer for Ridged Pipe. |
| PART: | C) Flexible Plastic Gaskets. |
| REVISION: | Replace with the following: C) Rubber Gaskets. Furnish rubber gaskets conforming to the materials, manufacture, and physical requirements for gaskets in AASHTO M 315. Use only products from the Department's List of Approved Materials. |

**Supplemental Specifications to The Standard Specifications
for Road and Bridge Construction, 2000 Edition
(Effective with the October 25, 2002 Letting)**

SECTION: 846 HIGH DENSITY POLYETHYLENE (HDPE) ADJUSTING RINGS
REVISION: Add the following New Section:

SECTION 846 HIGH DENSITY POLYETHYLENE (HDPE) ADJUSTING RINGS

846.01 RESIN. Use a recycled polyethylene plastic or virgin resin producing a molded part meeting the following requirements:

| | |
|-------------------------------|-------------------------------|
| Melt Flow Index (ASTM D 1238) | 4.0-10.0 g/10min |
| Density (ASTM D 792) | 0.941-0.965 g/cm ³ |
| Tensile (ASTM D 638) | 2000-5000 lb/in ² |
| ESCR (ASTM D 1693) | Condition C |

846.02 LOADING. Ensure the adjustment rings meet or exceed the loading requirements of AASHTO'S Standard Specification for HS-25 wheel loading for Highway Bridges.

SECTION: 827.04 PERMANENT SEED.
REVISION: Replace with the following:

827.04 PERMANENT SEED. Conform to the requirements outlined in the "Kentucky Seed Law and Provisions for Seed Certification in Kentucky" and the "Regulations under the Kentucky Seed Law", with following exceptions:

1. Obtain seed only through registered dealers that are permitted for labeling of seed.
2. Ensure all deliveries/shipments of premixed seed are accompanied with a master blend sheet.
3. The Department may sample the seed at the job site at any time.
4. Ensure all bags and containers have an acceptable seed tag attached.

Do not use seed (grasses, native grasses and legumes) if the weed seed is over 2%, total germination (including hard seed) is less than 60%, if the seed test date is over 9 months old exclusive of the month tested, or if the limits of noxious weed seed is exceeded.

Ensure that noxious weed seeds contained in any seed or seed mixture does not exceed the maximum permitted rate of occurrence per pound.

| <u>Name of Kind</u> | <u>Max. No. Seeds (per pound)*</u> |
|--|--|
| Balloon Vine (<i>Cardiospermum Halicacabum</i>) | 0 |
| Purple Moonflower (<i>Ipomoea turbinata</i>) | 0 |
| Canada Thistle (<i>Cirsium Arvense</i>) | 0 |
| Johnsongrass (<i>Sorghum Halepense</i> and <i>Sorghum Alnum</i> and perennial rhizomatous derivatives of these species) | 0 |
| Quackgrass (<i>Elytrigia Repens</i>) | 0 |
| Annual Bluegrass (<i>Poa Annua</i>) | 256 |
| Buckhorn Plantain (<i>Plantago lanceolata</i>) | 304 |
| Corncockle (<i>Agrostemma Githago</i>) | 192 |
| Dodder (<i>Cuscuta spp.</i>) | 192 |
| Giant Foxtail (<i>Setaria Faberii</i>) | 192 |
| Oxeye Daisy (<i>Chrysanthemum leucanthemum</i>) | 256 |
| Sorrel (<i>Rumex Acetosella</i>) | 256 |
| Wild Onion and Wild Garlic (<i>Allium spp.</i>) | 96 |

* Seed or seed mixtures that contain in excess of 480 total noxious seeds per pound is prohibited

Wildflower seed shall not be planted until approved by the MCL.

**Supplemental Specifications to The Standard Specifications
for Road and Bridge Construction, 2000 Edition
(Effective with the October 25, 2002 Letting)**

| LOT PAY ADJUSTMENT SCHEDULE FOR SPECIALTY MIXTURES (TEST DEVIATION FROM JMF) | | |
|---|------------------|-------------------------------|
| | Pay Value | Deviation From JMF (%) |
| Asphalt Binder Content | 1.00 | 0.0-0.5 |
| | 0.98 | 0.6 |
| | 0.95 | --- |
| | 0.90 | 0.7 |
| | 0.85 | 0.8 |
| | 0.75 | ≥ 0.9 |
| 1 1/2 inch Sieve | 1.00 | 0-13 |
| | 0.98 | 14 |
| | 0.95 | 15-16 |
| | 0.90 | 17-20 |
| | 0.85 | 21-23 |
| | 0.75 | ≥ 24 |
| 1 inch, 3/4 inch, and 1/2 inch Sieves | 1.00 | 0-9 |
| | 0.98 | 10 |
| | 0.95 | 11-12 |
| | 0.90 | 13-14 |
| | 0.85 | 15-16 |
| | 0.75 | ≥ 17 |
| 3/8 inch, No. 4, No. 8, No. 16, and No. 30 Sieves | 1.00 | 0-8 |
| | 0.98 | 9 |
| | 0.95 | 10 |
| | 0.90 | 11-12 |
| | 0.85 | 13-14 |
| | 0.75 | ≥ 15 |
| No. 50 Sieve | 1.00 | 0-6 |
| | 0.98 | 7 |
| | 0.95 | 8 |
| | 0.90 | 9 |
| | 0.85 | 10 |
| | 0.75 | ≥ 11 |
| No. 100 Sieve | 1.00 | 0-3 |
| | 0.98 | --- |
| | 0.95 | 4 |
| | 0.90 | 5 |
| | 0.85 | --- |
| | 0.75 | ≥ 6 |
| No. 200 Sieve | 1.00 | 0.0-2.0 |
| | 0.98 | 2.5 |
| | 0.95 | 3.0 |
| | 0.90 | --- |
| | 0.85 | 3.5 |
| | 0.75 | ≥ 4.0 |
| Fineness Modulus | 1.00 | 0.0-0.30 |
| | 0.98 | 0.31-0.34 |
| | 0.95 | 0.35-0.39 |
| | 0.90 | 0.40-0.46 |
| | 0.85 | 0.47-0.55 |
| | 0.75 | ≥ 0.56 |

**UTILITY NOTES TO BE INCLUDED IN THE PROPOSAL
SPECIAL NOTES FOR UTILITY CLEARANCE
IMPACT ON CONSTRUCTION**

Hopkins County
FD04 054 9004 032-033
The E.T. Breathitt Parkway Interchange at US 62 near Nortonville
Item No. 2-8100.00

There are no known utilities within project limits, however contractor is advised to call BUD before excavating.

PROTECTION OF UTILITIES

The location of utilities provided in the contract documents has been furnished by the facility owners and/or by reviewing record drawings and may not be accurate. It will be the roadway contractor's responsibility to locate utilities before excavating by calling the various utility owners and by examining any supplemental information supplied by the cabinet. If necessary, the roadway contractor shall determine the exact location and elevation of utilities by hand digging to expose utilities before excavating in the area of a utility. The cost of repair and any other associated costs for any damage to utilities caused by the roadway contractor's operations shall be borne by the roadway contractor.

The contractor is advised to contact the **BUD one-call system at 1-800-752-6007** at least two working days prior to excavating. Contractor should be aware that owners of underground facilities are not required to be members of the BUD one-call system. It may be necessary for the contractor to contact the County Court Clerk to determine what utility companies have facilities in the project area.

PART II

SPECIAL PROVISIONS APPLICABLE TO PROJECT

SPECIAL PROVISION NO.

TITLE

NO SPECIAL PROVISIONS APPLY TO THIS PROJECT

PART III

EMPLOYMENT, WAGE AND RECORD REQUIREMENTS
(Copies of each Attached)

1. Schedule of Minimum Wages Established for the Project.
2. Labor and Wage Requirements, applicable to other than Federal-Aid System Contracts. (Rev. 2-16-95)
3. Executive Branch Code of Ethics.

**TRANSPORTATION CABINET
DIVISION OF CONTRACT PROCUREMENT
COMPLIANCE SECTION**

SHEET ONE

LETTING: 12-13-2002

PROJECT WAGE RATES

HOPKINS COUNTY, FD04 054 9004 032-033

The E. T. Breathitt Parkway (EB 9004)

Interchange Lighting

| CRAFTS | HIGHWAY BASIC HOURLY RATES | FRINGE BENEFIT PAYMENTS COMBINED |
|---|---|---|
| Ballard, Butler, Caldwell, Carlisle, Crittenden, Daviess, Edmonson, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Muhlenberg, Ohio, Union & Webster Counties: | | |
| Bricklayers..... | 24.15..... | 6.55 |
| Allen, Calloway, Christian, Logan, Simpson, Todd, Trigg & Warren Counties: | | |
| Bricklayers..... | 20.16..... | 1.60 |
| All Counties: | | |
| Carpenters..... | 21.45..... | 6.13 |
| Piledrivermen..... | 21.70..... | 6.13 |
| Divers..... | 32.55..... | 6.13 |
| Butler, Edmonson, Logan, Todd & Warren Counties: | | |
| Electricians..... | 24.25..... | 8.24 |
| Allen & Simpson Counties: | | |
| Electricians..... | 15.85..... | 4.115 |
| Ballard, Caldwell, Calloway, Carlisle, Christian, Crittenden, Fulton (Except a 5 mile radius of City Hall in Fulton), Graves, Hickman, Livingston, Lyon, Marshall, McCracken & Trigg Counties: | | |
| Electricians: | | |
| Electricians..... | 23.58..... | 9.06 |
| Cable Splicers..... | 23.83..... | 9.06 |
| Daviess, Hancock, Henderson, Hopkins, McLean, Muhlenberg, Ohio, Union & Webster Counties: | | |
| Electricians: | | |
| Electricians..... | 23.45..... | 8.59 |
| Heilarc Welding & Cable Splicing..... | 23.70..... | 8.64 |
| Fulton County (Up to a 5 mile radius of City Hall in Fulton): | | |
| Electricians..... | 18.94..... | 9.00 |
| Cable Splicers..... | 19.44..... | 9.00 |
| Butler County (Eastern eighth, including the Townships of Decker, Lee & Tilford); | | |
| Edmonson County (Northern three-fourths, including the Townships of Asphalt, Bee Spring, Brownsville, Grassland, Huff, Kyrock, Lindseyville, Mammoth Cave, Ollie, Prosperity, Rhoda, Sunfish & Sweden): | | |
| Ironworkers: | | |
| Structural; Ornamental; Reinforcing; | | |
| Precast Concrete Erectors..... | 23.25..... | 10.87 |
| Butler County (Townships of Aberdeen, Bancock, Casey, Dexterville, Dunbar, Elfie, Gilstrap, Huntsville, Logansport, Monford, Morgantown, Provo, Rochester, and South Hill & Welchs Creek); Caldwell County (Northeastern third, including the Township of Creswell); Christian County (Northern third, including Townships of Apex, Crofton, Kelly, Mannington and Wynns); Crittenden County (Northeastern half, including the Townships of Grove, Mattoon, Repton, Shady Grove and Tribune); Muhlenberg County (Townships of Bavier, Beech Creek Junction, Benton, Brennen, Browder, Central City, Cleaton, Drakesboro, Depoy, Eunis, Graham, Hillside, Luzerne, Lynn City, Martwick, McNary, Moorman, Millport, Nelson, Paradise, Powderly, South Carrollton, Tarina and Weir); | | |

**TRANSPORTATION CABINET
DIVISION OF CONTRACT PROCUREMENT
COMPLIANCE SECTION**

PROJECT WAGE RATES

SHEET TWO 12-13-2002

HOPKINS COUNTY, FD04 054 9004 032-033

| CRAFTS (continued) | HIGHWAY BASIC HOURLY RATES | FRINGE BENEFIT PAYMENTS COMBINED |
|---|---|---|
| Daviess, Hancock, Henderson, Hopkins, McLean, Ohio, Union and Webster Counties: | | |
| Ironworkers..... | 23.05..... | 9.90 |
| Butler County (Southern third, including the Townships of Boston, Berrys Lick, Dimple, Jetson, Quality, Sharer, Sugar Grove and Woodbury); | | |
| Christian County (Eastern two-thirds, including the Townships of Bennettstown, Casky, Herndon, Hopkinsville, Howell, Masonville, Pembroke and Thompsonville); | | |
| Edmonson County (Southern fourth, including the Townships of Chalybeate & Rocky Hill); | | |
| Muhlenberg County (Southern eighth, including the Townships of Dunnior, Penrod & Rosewood); | | |
| Allen, Logan, Simpson, Todd and Warren Counties: | | |
| Ironworkers..... | 18.22..... | 6.18 |
| Caldwell County (Southwestern two-thirds, including the Townships of Cedar Bluff, Cider, Claxton, Cobb, Crowtown, Dulaney, Farmersville, Fredonia, McGowan, Otter Pond and Princeton); | | |
| Christian County (Western third, excluding the Townships of Apex, Crofton, Kelly, Mannington, Wynns, Bennettstown, Casky, Herndon, Hopkinsville, Howell, Masonville, Pembroke and Thompsonville); | | |
| Crittenden County (Southwestern half, including the Townships of Crayne, Dycusburg, Frances, Marion, Mexico, Midway, Sheridan and Told); | | |
| Ballard, Calloway, Carlisle, Fulton, Graves, Hickman, Livingston, Lyon, Marshall, McCracken and Trigg Counties: | | |
| Ironworkers | | |
| Projects with a total contract cost of \$20,000,000.00 or above | 22.15..... | 10.42 |
| All other work..... | 20.85..... | 9.36 |
| Allen, Butler, Edmonson, Logan, Simpson & Warren Counties: | | |
| Millwrights..... | 22.25..... | 10.30 |
| Ballard, Caldwell, Calloway, Carlisle, Christian, Crittenden, Fulton, Graves, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, Todd & Trigg Counties: | | |
| Millwrights:..... | 20.45..... | 8.07 |
| Daviess, Hancock, Henderson, McLean, Muhlenberg, Ohio, Union & Webster Counties: | | |
| Millwrights:..... | 20.50..... | 8.97 |
| Ballard County: | | |
| Painters: | | |
| Bridges and Dams..... | 23.43..... | 6.63 |
| All Other Work..... | 19.13..... | 6.63 |
| Spray, Blast, Steam, High and Hazardous (Including Lead Abatement) and All Epoxy – 1.00 Premium. | | |

**TRANSPORTATION CABINET
DIVISION OF CONTRACT PROCUREMENT
COMPLIANCE SECTION**

PROJECT WAGE RATES

SHEET THREE 12-13-2002

HOPKINS COUNTY, FD04 054 9004 032-033

| CRAFTS (continued) | HIGHWAY BASIC HOURLY RATES | FRINGE BENEFIT PAYMENTS COMBINED |
|---|---|---|
| Edmonson County: | | |
| Painters: | | |
| Brush..... | 17.02..... | 5.92 |
| Abrasive Blaster, Fireproofing, Lead Abatement, Spray & Waterblaster 4000 PSI and Above | 17.52..... | 5.92 |
| Daviness, Hancock, Henderson, McLean, Ohio, Union & Webster Counties: | | |
| Painters: | | |
| *Brush & Roller | 20.30..... | 7.73 |
| *Plasterers..... | 20.55..... | 7.73 |
| *Spray, sandblast, power tools, Waterblast, steamcleaning, brush & roller of mastics, creosotes, kwinch koate & coal tar epoxy..... | 21.30..... | 7.73 |
| *Spray of mastics, creosotes, kwinch koate & coal tar epoxy..... | 22.30..... | 7.73 |
| *Bridges, Locks and Dams add 1.15 to base rate. | | |
| Allen, Butler, Logan, Muhlenberg, Simpson, Todd & Warren Counties: | | |
| Painters: | | |
| Brush..... | 16.43 | 5.50 |
| Spray, sandblast, boswain chair or heights over 50 feet | 16.93 | 5.50 |
| Caldwell, Calloway, Carlisle, Christian, Crittenden, Fulton, Graves, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken & Trigg Counties: | | |
| Painters: | | |
| Bridges and Dams..... | 22.25 | 5.50 |
| All Other Work..... | 16.00 | 5.50 |
| Waterblasting units with 3500 PSI and above - \$.50 premium | | |
| Spraypainting and all abrasive blasting - \$1.00 premium | | |
| Work 40 ft. and above ground level - \$1.00 premium | | |
| Allen, Butler, Edmonson, Simpson, Warren Counties: | | |
| Plumbers; Gas Fitters: | | |
| Plumbing contracts less than \$150,000.00 | 19.17 | 5.97 |
| All other plumbing contracts | 24.15 | 5.97 |

**TRANSPORTATION CABINET
DIVISION OF CONTRACT PROCUREMENT
COMPLIANCE SECTION**

PROJECT WAGE RATES

SHEET FOUR 12-13-2002

HOPKINS COUNTY, FD04 054 9004 032-033

| CRAFTS (continued) | HIGHWAY BASIC HOURLY RATES | FRINGE BENEFIT PAYMENTS COMBINED |
|---|---|---|
| Ballard, Caldwell, Calloway, Carlisle, Christian (Excluding Ft. Campbell), Crittenden, Fulton, Graves, Hickman, Livingston, Lyon, Marshall, McCracken & Trigg Counties: | | |
| Plumbers & Steamfitters | 23.68 | 9.51 |
| Allen, Butler, Edmonson, Simpson & Warren Counties: | | |
| Pipefitters & Steamfitters | 25.90 | 8.98 |
| Christian County (Ft. Campbell only): | | |
| Pipefitter; Plumber | 22.00 | 6.39 |
| Daviess, Hancock, Henderson, Hopkins, Logan, McLean, Muhlenberg, Ohio, Todd, Union & Webster Counties: | | |
| Plumbers & Pipefitters | 23.29 | 7.73 |
| Welders - Receive rate for craft in which welding is incidental. | | |

LABORERS:

Aging & curing of concrete, asbestos abatement worker, asphalt plant, asphalt, batch truck dump, carpenter tender, cement mason tender, cleaning of machines, concrete, demolition, dredging, environmental -nuclear radiation, toxic & hazardous waste - Level D, flagperson, grade checker, hand digging & hand back filling, highway marker placer, landscaping, mesh handler & placer, puddler, railroad, rip-rap & grouter, right-of-way, sign, guard rail & fence installer, signal person, sound barrier installer, storm & sanitary sewer, swamper, truck spotter & dumper & wrecking of concrete form.

BASE RATE..... 16.34
FRINGE BENEFITS7.38

Batter board man (sanitary & storm sewer), brickmason tender, mortar mixer operator, burner & welder, bushhammer, chain saw operator, concrete saw operator, deckhand scow man, dry cement handler, environmental - nuclear, radiation, toxic & hazardous waste - Level C, forklift operator for masonry, form setter, green concrete cutting, hand operated grouter & grinder machine operator, jackhammer, pavement breaker, paving joint machine, pipelayer, plastic pipe fusion, power driven georgia buggy & wheel barrow, power post hole digger, precast manhole setter, walk-behind tamper, walk-behind trencher, sand blaster, concrete chipper, surface grinder, vibrator operator and wagon driller.

BASE RATE.....16.59
FRINGE BENEFITS7.38

**TRANSPORTATION CABINET
DIVISION OF CONTRACT PROCUREMENT
COMPLIANCE SECTION**

PROJECT WAGE RATES

SHEET FIVE 12-13-2002

HOPKINS COUNTY, FD04 054 9004 032-033

| | HIGHWAY BASIC HOURLY RATES | FRINGE BENEFIT PAYMENTS COMBINED |
|--|---|---|
|--|---|---|

LABORERS: (continued)

Air track driller, asphalt luteman & raker, gunnite nozzleman, gunnite operator & mixer, grout pump operator, powderman & blaster, side rail setter, rail paved ditch, screw operator, tunnel (free air), and water blaster .

| | |
|------------------------------|-------|
| BASE RATE | 16.64 |
| FRINGE BENEFITS | 7.38 |

Caisson worker (free air), cement finisher, environmental - nuclear, radiation, toxic & hazardous waste - levels A & B, miner & driller (free air), tunnel blaster and tunnel mucker (free air).

| | |
|------------------------------|-------|
| BASE RATE | 17.24 |
| FRINGE BENEFITS | 7.38 |

TEAMSTERS:

Allen, Butler, Edmonson, Logan, Simpson & Warren Counties:
Greaser, tire changer.

| | |
|------------------------------|-------|
| BASE RATE | 16.84 |
| FRINGE BENEFITS | 8.14 |

Truck Mechanic.

| | |
|------------------------------|-------|
| BASE RATE | 17.17 |
| FRINGE BENEFITS | 8.14 |

Single axle dump and flatbed, terrain vehicle when used to haul materials, semi-trailer or pole trailer when used to pull building materials and equipment, tandem axle dump, distributor, & mixer.

| | |
|------------------------------|-------|
| BASE RATE | 17.24 |
| FRINGE BENEFITS | 8.14 |

**TRANSPORTATION CABINET
DIVISION OF CONTRACT PROCUREMENT
COMPLIANCE SECTION**

PROJECT WAGE RATES

SHEET SIX 12-13-2002

HOPKINS COUNTY, FD04 054 9004 032-033

| | HIGHWAY BASIC HOURLY RATES | FRINGE BENEFIT PAYMENTS COMBINED |
|--|---|---|
|--|---|---|

TEAMSTERS: (continued)

Euclid and other heavy earthmoving equipment & lowboy, articulator cat truck & 5 axle vehicle, winch & A-Frame when used in transporting materials, Ross Carrier, forklift truck when used to transport building materials and drivers on pavement breaker.

| | |
|------------------------------|-------|
| BASE RATE | 17.30 |
| FRINGE BENEFITS | 8.14 |

Ballard, Calloway, Caldwell, Carlisle, Christian, Crittenden, Fulton, Graves, Hickman, Livingston, Lyon, Marshall, McCracken, Todd & Trigg Counties:
Greaser, tire changer.

| | |
|------------------------------|-------|
| BASE RATE | 21.99 |
| FRINGE BENEFITS | 3.75 |

Truck Mechanic.

| | |
|------------------------------|-------|
| BASE RATE | 22.22 |
| FRINGE BENEFITS | 3.75 |

Single axle dump and flatbed, terrain vehicle when used to haul materials, semi-trailer or pole trailer when used to pull building materials and equipment, tandem axle dump, distributor, & mixer.

| | |
|------------------------------|-------|
| BASE RATE | 22.29 |
| FRINGE BENEFITS | 3.75 |

Euclid, other heavy earthmoving equipment & lowboy, articulator cat truck & 5 axle vehicle, winch & A-Frame when used in transporting materials, Ross Carrier, forklift truck when used to transport building materials and drivers on pavement breaker.

| | |
|------------------------------|-------|
| BASE RATE | 22.30 |
| FRINGE BENEFITS | 3.75 |

**TRANSPORTATION CABINET
DIVISION OF CONTRACT PROCUREMENT
COMPLIANCE SECTION**

**PROJECT WAGE RATES
HOPKINS COUNTY, FD04 054 9004 032-033**

SHEET SEVEN 12-13-2002

| <u>TEAMSTERS:</u> (continued) | HIGHWAY BASIC HOURLY RATES | FRINGE BENEFIT PAYMENTS COMBINED |
|--------------------------------------|---|---|
|--------------------------------------|---|---|

Daviess, Hancock, Henderson, Hopkins, McLean, Muhlenberg, Ohio, Union & Webster Counties:
Greaser, tire changer.

BASE RATE..... 18.53
FRINGE BENEFITS 8.80

Truck Mechanic.

BASE RATE..... 18.76
FRINGE BENEFITS 8.80

Single axle dump and flatbed, terrain vehicle when used to haul materials, semi-trailer or pole trailer when used to pull building materials and equipment, tandem axle dump, distributor, & mixer.

BASE RATE..... 18.83
FRINGE BENEFITS 8.80

Euclid and other heavy earthmoving equipment & lowboy, articulator cat truck & 5 axle vehicle, winch & A-Frame when used in transporting materials, Ross Carrier, forklift truck when used to transport building materials, drivers on pavement breaker.

BASE RATE..... 18.84
FRINGE BENEFITS 8.80

OPERATING ENGINEERS:

A-frame winch truck, auto patrol, backfiller, batcher plant, bituminous paver, bituminous transfer machine, boom cat, bulldozer, mechanic, cableway, carry-all scoop, carry deck crane, central compressor plant, clamshell, concrete mixer (21 cu. ft. or over), concrete paver, truck mounted concrete pump, core drill, crane, crusher plant, derrick, derrick boat, ditching and trenching machine, dragline, dredge operator, dredge engineer, elevating grader and loaders, grade-all, guries, heavy equipment robotics operator/mechanic, high lift, hoe-type machine, hoist (two or more drums), hoisting engine (two or more drums), horizontal directional drill operator, hydrocrane, hyster, KeCal loader, LeTourneau, locomotive, mechanically operated laser screed, mechanic welder, mucking machine, motor scraper, orangepeel bucket, piledriver, power blade, pumpcrete, push dozer, rock spreader attached to equipment, rotary drill, roller (bituminous), scarifier, scoopmobile, shovel, side boom, subgrader, tailboom, telescoping type forklift, tow or push boat, tower crane (French, German and other types), tractor shovel, truck crane, tunnel mining machines, including moles, shields or similar types of tunnel mining equipment.

BASE RATE..... 20.85
FRINGE BENEFITS 8.40

**TRANSPORTATION CABINET
DIVISION OF CONTRACT PROCUREMENT
COMPLIANCE SECTION**

PROJECT WAGE RATES

SHEET EIGHT 12-13-2002

HOPKINS COUNTY, FD04 054 9004 032-033

**HIGHWAY
BASIC HOURLY
RATES**

**FRINGE
BENEFIT PAYMENTS
COMBINED**

OPERATING ENGINEERS: (continued)

Air compressor (over 900 cu. ft. per min.), bituminous mixer, boom type tamping machine, bull float, concrete mixer (under 21 cu. ft.), dredge engineer, electric vibrator, compactor/self-propelled compactor, elevator (one drum or buck hoist), elevator (when used to hoist building material), finish machine, firemen & hoist (one drum), flexplane, forklift (regardless of lift height), form grader, joint sealing machine, outboard motor boat, power sweeper (riding type), roller (rock), ross carrier, skid mounted or trailer mounted concrete pump, switchman or brakeman, throttle valve person, tractair and road widening trencher, tractor (50 H.P. or over), truck crane oiler, tugger, welding machine, well points, and whirley oiler.

BASE RATE..... 18.43
FRINGE BENEFITS 8.40

Greaser on grease facilities servicing heavy equipment.

BASE RATE..... 18.81
FRINGE BENEFITS 8.40

Bituminous distributor, burlap and curing machine, cement gun, concrete saw, conveyor, deckhand oiler, grout pump, hydraulic post driver, hydro seeder, mud jack, oiler, paving joint machine, power form handling equipment, pump, roller (earth), steerman, tamping machine, tractor (under 50 H.P.) and vibrator.

BASE RATE..... 18.17
FRINGE BENEFITS 8.40

Cranes with booms one hundred fifty feet (150') and over (including jib) \$.50 premium.

Employees assigned to work below ground level are to be paid 10% above basic wage rate. This does not apply to open cut work.

Fringe benefit amounts are applicable for all hours worked except when otherwise noted.

These rates are listed pursuant to the Kentucky Determination No. CR-01-I HWY dated October 8, 2001 and/or Federal Decision No. KY020025 dated March 1, 2002, modification #1 dated March 29, 2002, modification #2 dated April 5, 2002, modification #3 dated May 3, 2002, modification #4 dated June 21, 2002, modification #5 dated July 5, 2002, modification # 6 dated August 16, 2002, modification #7 dated September 13, 2002, modification #8 dated October 4, 2002 and modification #9 dated November 8, 2002.

One/Federal-State

**TRANSPORTATION CABINET
DIVISION OF CONTRACT PROCUREMENT
COMPLIANCE SECTION**

PROJECT WAGE RATES

SHEET NINE 12-13-2002

HOPKINS COUNTY, FD04 054 9004 032-033

No laborer, workman or mechanic shall be paid at a rate less than that of a Journeyman except those classified as bona fide apprentices.

Apprentices or trainees shall be permitted to work as such subject to Administrative Regulations adopted by the Commissioner of Workplace Standards. Copies of these regulations will be furnished upon request from any interested person.

Before using apprentices on the job the contractor shall present to the Contracting Officer written evidence of registration of such employees in a program of a State apprenticeship and training agency approved and recognized by the U. S. Bureau of Apprenticeship and Training. In the absence of such a State agency, the contractor shall submit evidence of approval and registration by the U. S. Bureau of Apprenticeship and Training.

The contractor shall submit to the Contracting Officer, written evidence of the established apprenticeship-journeyman ratios and wage rates in the project area, which will be the basis for establishing such ratios and rates for the project under the applicable contract provisions.

TO: EMPLOYERS/EMPLOYEES

PREVAILING WAGE SCHEDULE:

The wages indicated on this wage schedule are the least permitted to be paid for the occupations indicated. When an employee works in more than one classification, the employer must record the number of hours worked in each classification at the prescribed hourly base rate.

OVERTIME:

Overtime is to be paid after an employee works eight (8) hours a day or forty (40) hours a week, whichever gives the employee the greater wages. At least time and one-half the base rate is required for all overtime. A laborer, workman or mechanic and an employer may enter into a written agreement or a collective bargaining agreement to work more than eight (8) hours a calendar day but not more than ten (10) hours a calendar day for the straight time hourly rate. Wage violations or questions should be directed to the designated Engineer or the undersigned.

Rick Stansel, Director
Division of Contract Procurement
Frankfort, Kentucky 40622

TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS

LABOR AND WAGE REQUIREMENTS
APPLICABLE TO OTHER THAN FEDERAL-AID SYSTEM PROJECTS

- I. Application
- II. Nondiscrimination of Employees (KRS 344)
- III. Payment of Predetermined Minimum Wages
- IV. Statements and Payrolls

I. APPLICATION

1. These contract provisions shall apply to all work performed on the contract by the contractor with his own organization and with the assistance of workmen under his immediate superintendence and to all work performed on the contract by piecework, station work or by subcontract. The contractor's organization shall be construed to include only workmen employed and paid directly by the contractor and equipment owned or rented by him, with or without operators.

2. The contractor shall insert in each of his subcontracts all of the stipulations contained in these Required Provisions and such other stipulations as may be required.

3. A breach of any of the stipulations contained in these Required Provisions may be grounds for termination of the contract.

II. NONDISCRIMINATION OF EMPLOYEES

AN ACT OF THE KENTUCKY
GENERAL ASSEMBLY TO PREVENT
DISCRIMINATION IN EMPLOYMENT
KRS CHAPTER 344
EFFECTIVE JUNE 16, 1972

The contract on this project, in accordance with KRS Chapter 344, provides that during the performance of this contract, the contractor agrees as follows:

1. The contractor shall not fail or refuse to hire, or shall not discharge any individual, or otherwise discriminate against an individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, national origin, sex, disability or age (between forty and seventy); or limit, segregate, or classify his employees in any way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, national origin, sex, disability or age (between forty and seventy). The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

2. The contractor shall not print or publish or cause to be printed or published a notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by the employment agency, indicating any preference, limitation, specification, or discrimination, based on race, color, religion, national origin, sex, disability or age (between forty and seventy), except that such notice or advertisement may indicate a preference, limitation, or specification based on religion, or national origin when religion, or national origin is a bona fide occupational qualification for employment.

3. If the contractor is in control of apprenticeship or other training or retraining, including on-the-job training programs, he shall not discriminate against an individual because of his race, color, religion, national origin, sex, disability or age (between forty and seventy), in admission to, or employment in

any program established to provide apprenticeship or other training.

4. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for non-compliance.

III. PAYMENT OF PREDETERMINED
MINIMUM WAGES

1. These special provisions are supplemented elsewhere in the contract by special provisions which set forth certain predetermined minimum wage rates. The contractor shall pay not less than those rates.

2. The minimum wage determination schedule shall be posted by the contractor, in a manner prescribed by the Department of Highways, at the site of the work in prominent places where it can be easily seen by the workers.

IV. STATEMENTS AND PAYROLLS

1. All contractors and subcontractors affected by the terms of KRS 337.505 to 337.550 shall keep full and accurate payroll records covering all disbursements of wages to their employees to whom they are required to pay not less than the prevailing rate of wages. Payrolls and basic records relating thereto will be maintained during the course of the work and preserved for a period of one (1) year from the date of completion of this contract.

2. The payroll records shall contain the name, address and social security number of each employee, his correct classification, rate of pay, daily and weekly number of hours worked, itemized deductions made and actual wages paid.

3. The contractor shall make his daily records available at the project site for inspection by the State Department of Highways contracting office or his authorized representative.

Periodic investigations shall be conducted as required to assure compliance with the labor provisions of the contract. Interrogation of employees and officials of the contractor shall be permitted during working hours.

Aggrieved workers, Highway Managers, Assistant District Engineers, Resident Engineers and Project Engineers shall report all complaints and violations to the Division of Contract Procurement.

The contractor shall be notified in writing of apparent violations. The contractor may correct the reported violations and notify the Department of Highways of the action taken or may request an informal hearing. The request for hearing shall be in writing within ten (10) days after receipt of the notice of the reported violation. The contractor may submit records and information which will aid in determining the true facts relating to the reported violations.

Any person or organization aggrieved by the action taken or the findings established as a result of an informal hearing by the Division of Contract Procurement may request a formal hearing.

4. The wages of labor shall be paid in legal tender of the United States, except that this condition will be considered satisfied if payment is made by a negotiable check, on a solvent bank, which may be cashed readily by the employee in the local community for the full amount, without discount or collection charges of any kind. Where checks are used for payments, the contractor shall make all necessary arrangements for them to be cashed and shall give information regarding such arrangements.

5. No fee of any kind shall be asked or accepted by the contractor or any of his agents from any person as a condition of employment on the project.

6. No laborers shall be charged for any tools used in performing their respective duties except for reasonably avoidable loss or damage thereto.

7. Every employee on the work covered by this contract shall be permitted to lodge, board, and trade where and with whom he elects and neither the contractor nor his agents, nor his employees shall directly or indirectly require as a condition of employment that an employee shall lodge, board or trade at a particular place or with a particular person.

8. Every employee on the project covered by this contract shall be an employee of either the prime contractor or an approved subcontractor.

9. No charge shall be made for any transportation furnished by the contractor or his agents to any person employed on the work.

10. No individual shall be employed as a laborer or mechanic on this contract except on a wage basis, but this shall not be construed to prohibit the rental of teams, trucks or other equipment from individuals.

No Covered employee may be employed on the work except in accordance with the classification set forth in the schedule mentioned above; provided, however, that in the event additional classifications are required, application shall be made by the contractor to the Department of Highways and (1) the Department shall request appropriate classifications and rates from the proper agency, or (2) if there is urgent need for additional classification to avoid undue delay in the work, the contractor may employ such workmen at rates deemed comparable to rates established for similar classifications provided he has made written application through the Department of Highways, addressed to the proper agency, for the supplemental rates. The contractor shall retroactively adjust, upon receipt of the supplemental rates schedule, the wages of any employee paid less than the established rate and may adjust the wages of any employee overpaid.

11. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any laborer or mechanic in any work-week in which he is employed on such work, to work in excess of eight hours in any calendar day or in excess of forty hours in such work-week unless such laborer or mechanic receives compensation at a rate not less than one and one half times his basic rate of pay for all hours worked in excess of eight hours in any calendar day or in excess of forty hours in such work-week. A laborer, workman or mechanic and an employer may enter into a written agreement or a collective bargaining agreement to work more than eight (8) hours a calendar day but not more than ten (10) hours a calendar day for the straight time hourly rate. This agreement shall be in writing and shall be executed prior to the employee working in excess of eight (8) hours, but not more than ten (10) hours, in any one (1) calendar day.

12. Payments to the contractor may be suspended or withheld due to failure of the contractor to pay any laborer or mechanic employed or working on the site of the work, all or part of the wages required under the terms of the contract. The Department may suspend or withhold payments only after the contractor has been given written notice of the alleged violation and the contractor has failed to comply with the wage determination of the Department of Highways.

13. Contractors and subcontractors shall comply with the sections of Kentucky Revised Statutes, Chapter 337 relating to contracts for Public Works.

Revised 2-16-95

EXECUTIVE BRANCH CODE OF ETHICS

In the 1992 regular legislative session, the General Assembly passed and Governor Brereton Jones signed Senate Bill 63 (codified as KRS 11A), the Executive Branch Code of Ethics, which states, in part:

KRS 11A.040 (6) provides:

No present or former public servant shall, within six (6) months of following termination of his office or employment, accept employment, compensation or other economic benefit from any person or business that contracts or does business with the state in matters in which he was directly involved during his tenure. This provision shall not prohibit an individual from returning to the same business, firm, occupation, or profession in which he was involved prior to taking office or beginning his term of employment, provided that, for a period of six (6) months, he personally refrains from working on any matter in which he was directly involved in state government. This subsection shall not prohibit the performance of ministerial functions, including, but not limited to, filing tax returns, filing applications for permits or licenses, or filing incorporation papers.

KRS 11A.040 (8) states:

A former public servant shall not represent a person in a matter before a state agency in which the former public servant was directly involved, for a period of one (1) year after the latter of:

- a) The date of leaving office or termination of employment; or
- b) The date the term of office expires to which the public servant was elected.

This law is intended to promote public confidence in the integrity of state government and to declare as public policy the idea that state employees should view their work as a public trust and not as a way to obtain private benefits.

If you have worked for the executive branch of state government within the past six months, you may be subject to the law's prohibitions. The law's applicability may be different if you hold elected office or are contemplating representation of another before a state agency.

Also, if you are affiliated with a firm which does business with the state and which employs former state executive-branch employees, you should be aware that the law may apply to them.

In case of doubt, the law permits you to request an advisory opinion from the Executive Branch Ethics Commission, Room 136, Capitol Building, 700 Capitol Avenue, Frankfort, Kentucky 40601; telephone (502) 564-7954.

PART IV

INSURANCE

The Contractor shall carry the following insurance in addition to the insurance required by law:

- (1) Contractor's Public Liability Insurance not less than \$100,000.00 for damages arising out of bodily injuries to or death to one person. Not less than \$300,000.00 for damages arising out of bodily injuries to or death to two or more persons.
- (2) Contractor's Property Damages Liability Insurance. Not less than \$100,000.00 for all damages arising out of injury or destruction of property in any one accident. Not less than \$300,000.00 for all damages during the policy period.
- (3) Contractor's Protective Public Liability and Property Damage Insurance. The contractor shall furnish evidence with respect to operations performed for him by subcontractors that he carries in his own behalf for the above stipulated amounts.
- (4) The insurance required above must be evidenced by a Certificate of Insurance and this Certificate of Insurance must contain one of the following statements:
 - a. "policy contains no deductible clauses."
 - b. "policy contains a _____ deductible property
(amount)
damage clause but company will pay claim and collect
the deductible from the insured."
- (5) WORKMEN'S COMPENSATION INSURANCE. The contractor shall furnish evidence of coverage of all his employees or give evidence of self-insurance by submitting a copy of a certificate issued by the Workmen's Compensation Board.

PART V

STATEMENT OF INCOMPLETED WORK

1. Status of Active Prime Contracts.

Attached

1. STATUS OF ALL INCOMPLETED PRIME CONTRACTS

All active prime contracts must be reported. This includes prime contracts with public and private owners and joint-ventured contracts. The names of the joint venturers must be shown when reporting these projects. A machine or typed listing reporting the status of each contract is acceptable when attached to this report; however, the total amounts on the itemized listing must be reported in the space provided below:

| CONTRACT WITH | PROJECT IDENTIFICATION | PRIME CONTRACT AMOUNT | EARNINGS THROUGH LAST APPROVED ESTIMATE | TOTAL AMOUNT OF WORK REMAINING |
|--|------------------------|-----------------------|---|--------------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL (Attach Summary if not itemized above) | | \$ | \$ | \$ |

PART VI

BID ITEMS

THE QUANTITY SHEET(S) REPRESENTS THE ESTIMATED QUANTITIES (ONLY) FOR THE SUBJECT PROJECT.
PROPOSAL(S) MAY NOT BE AVAILABLE WHEN THE QUANTITIES ARE POSTED.
YOUR BID **WILL NOT** BE CONSIDERED IF THESE SHEET(S) ARE MADE A PART OF THE BID PROPOSAL
WHICH YOU SUBMIT TO THE KENTUCKY DEPARTMENT OF HIGHWAYS.

TRANSPORTATION CABINET

Department of Highways

FRANKFORT, KY 40622

Sheet No: 1

PCN: 02-0735

Letting: 12/13/2002

HOPKINS COUNTY

FD04 054 9004 032-033

| Item No. | Code No. | Item | Approximate Quantity | Unit | Unit Price Dollars | Amount Dollars |
|----------|----------|--------------------------------|----------------------|--------|--------------------|----------------|
| | | LIGHTING QUANTITIES | | | | |
| 1 | 4714 | POLE 120' MTG HT HIGH MAST | 5.00 | EACH | | |
| 2 | 4741 | POLE BASE IN MEDIAN WALL | 5.00 | EACH | | |
| 3 | 4760 | POLE W/SECONDARY CONTROL EQUIF | 1.00 | EACH | | |
| 4 | 4773 | HPS LUMINAIRE HIGH MAST | 30.00 | EACH | | |
| 5 | 4800 | MARKER | 10.00 | EACH | | |
| 6 | 4820 | TRENCHING AND BACKFILLING | 6,000.00 | LIN FT | | |
| 7 | 9485 | JUNCTION BOX TYPE A | 9.00 | EACH | | |
| 8 | 9486 | JUNCTION BOX TYPE C | 2.00 | EACH | | |
| 9 | 4798 | CONDUIT-3 1/2 INCH | 13.00 | LIN FT | | |
| 10 | 4860 | CABLE-NO. 8/3C DUCTED | 300.00 | LIN FT | | |
| 11 | 4861 | CABLE-NO. 6/3C DUCTED | 3,800.00 | LIN FT | | |
| 12 | 4862 | CABLE-NO. 4/3C DUCTED | 1,900.00 | LIN FT | | |
| 13 | 2562 | SIGNS | 126.00 | SQ FT | | |
| 14 | 2650 | MAINTAIN AND CONTROL TRAFFIC | 1.00 | LP SUM | | |
| 15 | 2775 | FLASHING ARROW | 1.00 | EACH | | |
| 16 | 2569 | DEMOBILIZATION | 1.00 | LP SUM | | |
| 17 | | TOTAL BID | | | \$ | . |

PART VII

CERTIFICATIONS

- | | | |
|----|---|----------|
| 1. | Provisions Relative to Senate Bill 258 (1994) | Attached |
| 2. | Non-Collusion Certification | Attached |
| 3. | Certification of Bid Proposal | Attached |

PROVISIONS RELATIVE TO SENATE BILL 258 (1994)

During the performance of the contract, the contractor agrees to comply with applicable provisions of:

1. KRS 136 Corporation and Utility Taxes
2. KRS 139 Sale and Use Taxes
3. KRS 141 Income Taxes
4. KRS 337 Wages and Hours
5. KRS 338 Occupational Safety and Health of Employees
6. KRS 341 Unemployment Compensation
7. KRS 342 Workers Compensation

Any final determinations of a violation by the contractor within the previous five (5) years pursuant to the applicable statutes above are revealed as follows:

NON-COLLUSION CERTIFICATION

COMMONWEALTH OF KENTUCKY
COUNTY _____
PROJECT NO. _____

I, _____, _____, under
(Name of officer signing certification) (Title)

penalty of perjury under the laws of the United States, do hereby certify that

(Insert name of Individual, Joint Venture, Co-partnership, or Corporation submitting bid)

its agent, officers or employees have not directly or indirectly entered into any
agreement, participated in any collusion, or otherwise taken action in restraint of free
competitive bidding in connection with this proposal.

(Signature)

(Title)

REVISED: 8-23-89

NON-COLLUSION CERTIFICATION

COMMONWEALTH OF KENTUCKY
COUNTY _____
PROJECT NO. _____

I, _____, _____, under
(Name of officer signing certification) (Title)

penalty or perjury under the laws of the United States, do hereby certify that

(Insert name of Individual, Joint Venture, Co-partnership, or Corporation submitting bid)

its agent, officers or employees have not directly or indirectly entered into any
agreement, participated in any collusion, or otherwise taken action in restraint of free
competitive bidding in connection with this proposal.

(Signature)

(Title)

REVISED: 8-23-89

CERTIFICATION OF BID PROPOSAL

We (I) propose to furnish all labor, equipment and materials necessary to construct and/or improve the subject project in accordance with the plans, the Transportation Cabinet's Standard Specifications for Road and Bridge Construction, current edition, special provisions, notes applicable to the project as indicated herein and all addenda issued on this project subsequent to purchase of proposal.

We (I) attach a bid proposal guaranty as provided in the special provisions in an amount not less than 5% of the total bid. We agree to execute a contract in accordance with this bid proposal within 15 calendar days after the receipt of the notice of award for the project.

We (I) have examined the site of proposed work, project plans, specifications, special provisions, and notes applicable to the project referred to herein. We understand that the quantities shown herein are estimated quantities subject to increase or decrease as provided in the specifications.

Name of Contracting Firm

BY:

Authorized Agent

Title

Address

City

State

Zip Code

Telephone Number

When two or more organizations bid as a joint venture, enter names of each organization and an authorized agent for each organization must sign above.